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GOOGLE INC.

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

15 ORACLE AMERICA, INC.,

16 Plaintiffs,

17 v.

18 GOOGLE INC.,

19 Defendant.  
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Case No. CV 10-03561 WHA

**GOOGLE'S RESPONSE TO REQUEST  
FOR COMMENT (ECF NO. 1282)**

Dept. Courtroom 8, 19<sup>th</sup> Fl.  
Judge: Hon. William Alsup

**STATEMENT**

In its August 4, 2015 Request for Comment, the Court invited Plaintiff Oracle America, Inc. (“Oracle”) and Defendant Google Inc. (“Google”) to “address the advisability of expanding Dr. Kearl’s role to include offering his views on the methodologies of the parties’ experts with regards to any future *Daubert* motions, including proposals for how Dr. Kearl’s reports expressing such views should be sequenced in any *Daubert* briefing.” ECF No. 1282.

Google does not object to the expansion of Dr. Kearl’s role to include offering views on the methodologies of the parties’ experts with regards to any future *Daubert* motions, provided that the parties and/or their expert(s) have an opportunity to respond to and address Dr. Kearl’s views.

Dated: September 10, 2015

KEKER & VAN NEST LLP

By: /s/ Robert A. Van Nest  
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